

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

002 20

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

Not Yet Known 09/581651

INTERNATIONAL APPLICATION NO.
PCT/GB98/03766INTERNATIONAL FILING DATE
15 December 1998PRIORITY DATE CLAIMED
16 December 1997

TITLE OF INVENTION

POLYPEPTIDES, POLYNUCLEOTIDES AND USES THEREOF

APPLICANT(S) FOR DO/EO/US

Schor, Seth Lawrence

Schor, Ana Maria

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Communication (1 pg)

U.S. APPLICATION NO. (IF KNOWN) 09/5816 Not Yet Known		INTERNATIONAL APPLICATION NO. PCT/GB98/03766		ATTORNEY'S DOCKET NUMBER 002.00120	
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21. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <ul style="list-style-type: none"> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$840.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	98 - 20 =	78	x \$18.00	\$1,404.00	
Independent claims	24 - 3 =	21	x \$78.00	\$1,638.00	
Multiple Dependent Claims (check if applicable) <input checked="" type="checkbox"/>				\$260.00	
TOTAL OF ABOVE CALCULATIONS =				\$4,272.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>				\$0.00	
SUBTOTAL =				\$4,272.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$4,272.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL FEES ENCLOSED =				\$4,272.00	
				Amount to be: refunded	\$
				charged	\$

☒ A check in the amount of **\$4,272.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0772** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Susan J. Braman
 Braman & Rogalskyj, LLP
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 Canandaigua, New York 14424-0352
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Susan J. Braman

SIGNATURE

Susan J. Braman

NAME

34,103

REGISTRATION NUMBER

15 June 2000

DATE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Schor and Schor

09/581651
527-156-0 PCT/PTC
Desk No. 15 JUN 2000

002.00120

Serial No.
Not Yet Known

Filing Date
Herewith

Examiner

Group Art Unit

Invention: **POLYPEPTIDE, POLYNUCLEOTIDES AND USES THEREOF**

I hereby certify that the following correspondence:

Transmittal Letter (2 pgs), Preliminary Amendment (3 pgs), copy of Int'l Prelim Exam Report (26 pgs), copy of Int'l Search Report (8 pgs), Communication (1 pg), check for \$4272.00 filing fee and surcharge

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

June 15, 2000

(Date)

Susan J. Braman

(Typed or Printed Name of Person Mailing Correspondence)

Susan J. Braman

(Signature of Person Mailing Correspondence)

EJ900844103US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Schor and Schor)
Serial No.: To be assigned (U.S. National)
Stage of PCT/GB98/03766)
Filed: Herewith)
For: POLYPEPTIDES, POLYNUCLEOTIDES AND USES)
THEREOF)

COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231
Box PCT

Dear Sir:

Please proceed with the examination of this application using the claims as published in the PCT International Publication and as amended by preliminary amendment enclosed herewith. Please disregard the amendments made during preliminary examination before the European Patent Office.

Please direct any questions regarding this application to applicants' undersigned attorney at the number provided.

Respectfully submitted,

Dated: 15 June 2000

Susan J. Braman
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